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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/511,434	10/25/2004	Karl Robert Schafer	WI.1674PCT-US	4578

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Douglas R Hanscom
Jones Tullar & Cooper
PO Box 2266
Eads Station
Arlington, VA 22202

EXAMINER

EVANISKO, LESLIE J

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 09/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

20

Office Action Summary	Application No.		Applicant(s)	
	10/511,434		SCHAFFER, KARL ROBERT	
	Examiner		Art Unit	
	Leslie J. Evanisko		2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08/18/2006 & 10/25/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 39-68 and 76 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 39, 47, 48, 50-53, 55-60, 63, 66, 68 and 76 is/are rejected.
- 7) ☒ Claim(s) 40-46, 49, 54, 61-62, 64-65, and 67 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 October 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10-25-04 & 12-06-05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Election/Restrictions

2. Applicant's election without traverse of Group I, claims 39-68 and 76 in the reply filed on August 18, 2006 is acknowledged.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the support point for the spring element being located on the dressing leading end leg as recited in claim 44, the rocker on the dressing trailing end leg recited in claim 45, and plurality of holding device arranged in the groove recited in claim 59 and the printing group including the forme cylinder and transfer cylinder as recited in claim 66 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure

number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because there are two occurrences of reference numeral “**14**” in Figure 1 which appear to be designating two different pieces of structure. Since reference numeral “**14**” has been repeatedly used in the specification to describe the rear edge of the opening (see, for example, line 5 of paragraph [021]), it appears the lowermost occurrence of reference numeral **14** in Figure 1 (located inside groove near reference numeral 16) is in error and should be deleted.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as

either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: reference character gamma "γ" in Figure 2 is not described in the specification. To correct this problem, it is suggested that this character be added after the term "angle" in line 24 of paragraph [022] of the specification.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

6. Claims 39-68 and 76 are objected to because of the following informalities:

With respect to claim 39, the claim appears to have two periods--one at the end of line 4 and one at the end of line 18. This appears to be a minor typographical error by applicant. However, since each claim can only be comprised of one complete sentence, it is suggested that the period at the end of line 4 be deleted and replaced with a semi-colon.

Additionally in claim 39, it is not clear if the recitation of the holding force in lines 9-10 is the same force or a different force from the counterforce recited in line 18. Clarification and/or correction is required. Finally, it appears as though applicant was intending for claim 39 to be generic to the two embodiments disclosed in the specification and shown in the Figures. However, the recitation of "a counterforce generated at the support point" in the last line of the claim is true only for the embodiment of Figure 1, since the specification discloses that the counterforce in the embodiment of Figure 2 is actually generated at the clamping point. See, for example, the end of paragraph [0028] of the specification. Since claim 39 is directed to the first embodiment of Figure 1, the further limitations of the set forth in dependent claims 48, 50, 55, 61-62 and 64-65 which are defining the second embodiment structure are improper dependent claims. To correct these problems, it is suggested that the phrase "a counterforce generated at said support point" in line 18 of claim 39 be deleted and replaced with --said holding force exerted by said spring element-- or similar language to insure claim 39 is truly generic. In an effort to advance prosecution of the application, the Examiner has considered claim 39 to include language such as that suggested above and to therefore be generic to both embodiments. The prior art rejections below are based upon that assumption.

With respect to claim 41, the language “said one of said first and second groove opening walls which is first in said production direction” is somewhat confusing since applicant has defined the clamping point as being located on one of said first and second groove opening walls. The claim as written make it somewhat confusing as to whether the one wall referred to in claim 41 is intended to be the same one wall referred to in claim 39. However, in either of the two embodiments, the clamping point and support point are not located on the same one wall. Additionally, based upon the context of claim 41 and dependent claims 42-44, claim 41 appears to be directed to the embodiment of Figure 1 in particular, in which the clamping point is located on one of the walls while the support point is located on the other of the walls. Therefore, it is suggested that claim 41 be amended to include language such as the following: -- wherein said support point is on an other of said first and second groove opening walls, said other of said walls being located first in said production direction--.

With respect to claim 44, the term “said first edge” has no proper antecedent basis since no first edge was previously recited in the parent claims.

With respect to claim 45, it is suggested that the term “said other” in line 2 be deleted and replaced with --said one-- since according to the disclosure, the rocker is located on the same groove opening wall as the clamping point.

With respect to claim 47, it is suggested that the phrase --dressing trailing end-- be inserted before “leg” in line 2 to use consistent terminology throughout the claims.

With respect to claim 54, the term “said first edge” has no proper antecedent basis because only “a front edge” was previously recited.

With respect to claim 55, the term “said first edge” has no proper antecedent basis.

With respect to claim 66, the term “said leading edge” in line 14 has no proper antecedent basis since only “a leading end” was previously recited. Additionally, in line 20, the phrase “said first and second groove walls” has no proper antecedent basis since only the opening was previously recited as having the first and second walls. In line 21, the term “said spring element” has no proper antecedent basis since only a spring was previously recited.

Appropriate correction and/or clarification is required.

Claim Rejections - 35 USC § 102

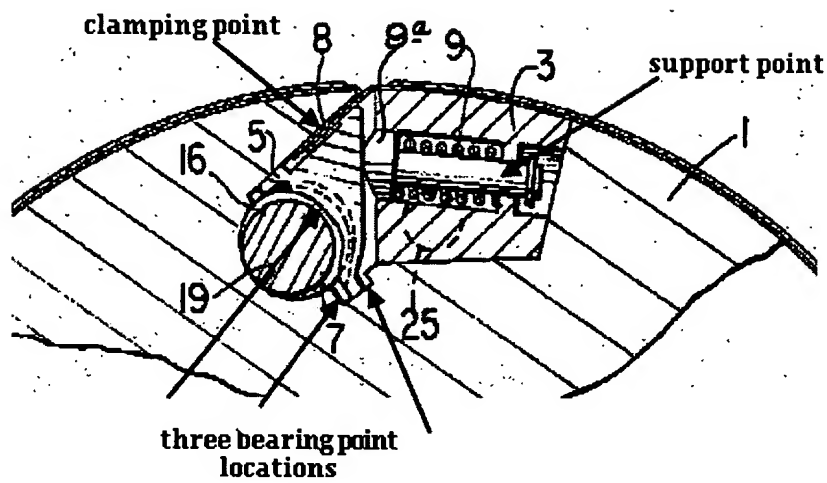
7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 39, 47-48, 50, 51, 53, 55, 56, and 58-60 are rejected under 35 U.S.C. 102(b) as being anticipated by Luehrs (US 3,362,327). Luehrs teaches a device for fastening at least one dressing 10, 11 on a cylinder 1 of a rotary printing press comprising at least one groove 2 in the cylinder and having an opening oriented at a surface of the cylinder, at least one dressing end holding device 4, 5, in the groove and adapted to releasably hold at least a dressing trailing end leg inserted into the opening, the holding device being a pivotable lever (see column 2, line 67 through column 3, line

3), at least one spring element 9, 9a, the spring element exerting a holding force of the holding device, a bearing point in the groove and opposite the opening, the bearing point receiving the holding device, a support point for the spring element in the groove, a clamping point for the dressing trailing end leg defined by the holding device 4, 5 and one of said first and second groove opening walls, the clamping point being opposite the support point, the spring element fixing the holding device in the bearing point by the holding force exerted by the spring element. See Figures 5-6 and columns 2-3 in particular. Additional attention is invited to the marked up copy of Figure 6 shown below. Note that, as the claim is currently written, the bearing point of Luehrs could broadly be considered to be formed at any of several locations, such as on either of the side walls of the small cutout area of groove 2 or at the point of contact between eccentric portion 16 of shaft 7 and surface 18 of holding member 5. These various locations are labeled "bearing point" below in the marked up copy of Figure 6. Furthermore, Luehrs specifically teaches the holding device 4, 5 experiences a downward force as a result of contact with spring element 9, 9a in column 2, lines 27-36 and lines 51-58. Clearly this downward force on the device 4, 5 will function to hold the device in the bearing point in the groove as broadly recited.



With respect to claim 47, the pivotable lever 4, 5 of Luehrs has a first end (i.e., the upper end) engageable with the trailing end dressing leg and a second end (i.e., the lower end) in the bearing point, as shown Figures 5-6.

With respect to claim 48, the cylinder is supported for rotation in a production direction and the clamping point is on the one of the first and second groove walls that is first in the production direction, the one of the first and second groove walls extending at an acute angle to a line tangent to the cylinder surface of the opening.

With respect to claim 50, note the wall 8 appears to be extending at an acute angle between 40° and 50° as recited.

With respect to claim 51, note each of the bearing point(s) shown in the marked-up copy of Figure 6 of Luehrs can broadly be considered to be “adjacent” a bottom surface of the groove as recited.

With respect to claim 53, the spring element 9, 9a can broadly be considered to be “pre-stressed” to the extent that language has any clear meaning.

With respect to claim 55, the device of Luehrs includes a dressing leading end leg suspendable on the front edge of groove wall 8.

With respect to claim 56, the device of Luehrs includes an actuating means (i.e. shafts 6, 7 with eccentric surfaces 15, 16) adapted to act on the holding device 4, 5 in opposition to the spring element 9, 9a.

With respect to claim 58, the device of Luehrs includes one holding element 4, 5 located in the groove.

With respect to claim 59, note the groove of Luehrs includes a plurality of holding elements 4, 5, as shown in Figure 1b in particular.

With respect to claim 60, note the small cutout in groove of Luehrs is a structural formation and therefore the bearing points formed on either of the two side walls of small cutout would be "fixed" in place in the groove 2.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 52 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luehrs (US 3,362,327) in view of Dörsam et al. (US 4,938,134). Luehrs teaches a device for fastening a dressing to a cylinder of a rotary printing press having all of the structure as recited with the exception of the spring element being a leaf spring. However, the use

of both pressure springs 43 or leaf springs 58 in a clamping device in which the spring force is applied to a holding device 23 is well known in the art, as exemplified by Dörsam et al. in Figures 1 and 2. In view of this teaching, it would have been obvious to one of ordinary skill in the art to provide a leaf spring arrangement as taught by Dörsam et al. in the device of Luehrs as it would simply require the obvious substitution of one type of spring mechanism for another to provide a holding force on the holding device to better secure the plate ends in the clamping device.

With respect to claim 57, Luehrs teaches a device for fastening a dressing to a cylinder of a rotary printing press having all of the structure as recited with the exception of the actuating means being a hose adapted to be charged with a pressure medium. However, the use of a hose actuating means 41 that is charged with a pressure medium to act on the holding device 23 in opposition to the spring element 43, 58 is well known in the art, as exemplified by the hose actuating means 41 of Dörsam et al. In view of this teaching, it would have been obvious to one of ordinary skill in the art to replace the cam actuating means of Luehrs with a hose actuating means as taught by Dörsam et al. as it would simply require the obvious substitution of one known actuating mechanism for another to provide a force acting in opposition to the spring force to allow the dressing on the cylinder to be released from the clamping structure.

11. Claim 63 is rejected under 35 U.S.C. 103(a) as being unpatentable over Luehrs (US 3,362,327) in view of Holm (US 2002/0189470 A1). Luehrs teach a device for fastening a dressing to a cylinder of a rotary printing press having all of the structure as recited with the possible exception of the groove being a circular cross-section.

However, providing a circular shaped groove which holds the clamping device for clamping plates on a cylinder is well known in the art, as exemplified by the circular shaped groove shown in Figure 8. In view of this teaching, it would have been obvious to one of ordinary skill in the art to provide the groove of Luehrs with a circular shape as taught by Holm to provide a groove structure that is easier to machine.

12. Claims 66, 68 and 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holm (US 2002/0189470 A1) in view of Luehrs (US 3,362,327). Holm teaches a printing group 01 having a forme cylinder 03, a transfer cylinder 02 cooperating with the forme cylinder, a plate shape printing forme 11 secured to the forme cylinder, a support plate 21 with a blanket 22 on the transfer cylinder, means supporting the forme cylinder and transfer cylinder for rotation in a production direction, each of the printing forme and support plate having a leading end with a beveled leg and a trailing end with beveled leg, at least one end leg receiving groove 12, 13, 14 in each of the forme cylinder and transfer cylinder, each groove 12, 13, 14 having an opening extending toward a surface of the cylinder and each opening having a front edge and a first wall and a rear edge and a second wall, the first wall extending at an acute angle to a line tangent to the surface at the opening (see Figures 2 and 8), the leading end of the printing forme and the support plate being suspendable from the front edge of each groove, and printing forme trailing end leg holding means 33 in the groove of the forme cylinder and support plate trailing end leg clamping means 26 in the groove of the transfer cylinder. See, in particular, Figures 2 and 8 of Holm. Although Holm does not specifically teach the trailing end leg clamping means including all of the structure as specifically recited, note

Luehrs teach a trailing end leg clamping means to clamp either a plate or blanket arrangement 10, 11 including a clamping element pivotable lever 4, 5 supported for pivotable movement in a bearing point (see marked up Figure 6 above) opposite the opening of the groove, a spring 9, 9a engageable with the pivotable lever and engageable (at least indirectly) with one of the first and second walls at a support point, the pivotable lever holding the trailing end leg in a clamping point against one of the first and second opening walls opposite the support point, the spring 9, 9a providing a counterforce holding the pivotable lever in the bearing point. Again attention is invited to the above set forth rejection of claim 39 and the marked up copy of Figure 6 attached above. In view of this teaching, it would have been obvious to one of ordinary skill in the art to use the clamping arrangement shown in Luehrs as the clamping structure in both the forme cylinder and transfer cylinder of Holm as it would simply require the obvious substitution of one known clamping structure for another to provide a simplified clamping mechanism for securing the plate ends.

With respect to claim 68, note Luehrs teach an obtuse angle formed between the support plate trailing end with respect to the tangent line, the support plate trailing end being supported on the first wall of the transfer cylinder, as shown in Figures 5 and 6 in particular.

With respect to claim 76, note Holm teach the opening b29, b12 of each groove 12, 13, 14 is preferably between 1 mm and 5 mm in paragraph [0056] and [0059].

Allowable Subject Matter

13. Claims 40-46, 49, 54, 61-62, 64-65, and 67 are objected to for the reasons set forth above as well as for being dependent upon a rejected base claim, but would be allowable if rewritten to overcome the above objections to the satisfaction of the Examiner and in independent form including all of the limitations of the base claim and any intervening claims.

14. The following is a statement of reasons for the indication of allowable subject matter:

With respect to claim 40 in particular, the prior art of record fails to teach or fairly suggest a device for fastening a dressing on a cylinder of a rotary printing press having all of the structure as recited, in combination with and particularly including, the support point including an other of the first and second groove opening walls, the other of the walls forming an inclined surface at an acute angle with respect to the tangent to the cylinder surface.

With respect to claim 41 in particular, the prior art of record fails to teach or fairly suggest a device for fastening a dressing on a cylinder of a rotary printing press having all of the structure as recited, in combination with and particularly including, the support point being formed on the groove opening wall which is first in the production direction.

With respect to claim 45 in particular, the prior art of record fails to teach or fairly suggest a device for fastening a dressing on a cylinder of a rotary printing press having all of the structure as recited, in combination with and particularly including, a

rocker on the dressing trailing end leg, the rocker being located on said one of said first and second groove opening walls.

With respect to claim 61 in particular, the prior art of record fails to teach or fairly suggest a device for fastening a dressing on a cylinder of a rotary printing press having all of the structure as recited, in combination with and particularly including, at least one base body in the groove, the holding device being pivotably supported in the base body.

With respect to claim 67 in particular, the prior art of record fails to teach or fairly suggest a printing group having a forme cylinder and blanket cylinder each having a groove containing a device for fastening a dressing on a cylinder of a rotary printing press having all of the structure as recited, in combination with and particularly including, the forme cylinder second wall formed at a right angle to the tangent line of the cylinder surface and the printing forme trailing end being supported on the forme cylinder second wall.


Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Schneider et al. (US 6,675,708 B2) teach a clamping device having obvious similarities to the claimed subject matter.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Leslie J. Evanisko** whose telephone number is **(571) 272-2161**. The examiner can normally be reached on T-F 8:00 am-6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Leslie J. Evanisko
Primary Examiner
Art Unit 2854

lje
September 22, 2006